

Mrs. West introduced the following resolution and moved its passage:

RESOLUTION NO. 28-19

**DESIGNATING BOARD'S AUTHORIZED REPRESENTATIVE
FOR CONSTRUCTION PROJECTS AND DELEGATING AUTHORITY
TO CONDUCT BUSINESS RELATED TO THE PROJECTS, INCLUDING
CHANGE ORDER AUTHORITY**

The Superintendent requests designation as the Board's authorized representative for construction projects and delegation of authority to conduct business related to the CFAP Segment 1 Project and other District improvements, including change order authority.

Background:

1. The Project Agreement to be executed between the Board and the Ohio Facilities Construction Commission (OFCC) for the construction of co-funded school facility improvements directs the Board to designate an authorized representative to make decisions on behalf of the Board, and the Superintendent is the appropriate person to serve as its authorized representative to make decisions related to the co-funded improvements and also for any other improvements that are not part of the co-funded project and that are funded 100% by the Board (referred to as LFIs or Locally Funded Initiatives) (all of which is referenced as the Project), as well as participating in the selection process for professionals to provide services for the Project and determining the project delivery method(s) for the Project, between Board meetings or to determine that a special meeting should be requested to make a Project decision by the Board.
2. When using the CMR delivery method, the Board is also required to approve subcontractor criteria presented by the CMR and to approve the list of prequalified subcontractors from which pricing will be solicited to perform the work on the project, and the Board's authorized representative may make these decisions.
3. During construction of the Project, there will be changes to the work to be performed by the CMR and other contractors awarded construction contracts for the Project that may result in changes to the contract sum and/or time for performance of one or more construction contracts, and these changes may be documented by field work orders before final pricing and scope of work is determined, so that work can proceed without delay, and/or change orders prepared by the A/E firm selected for the Project or modifications to the guaranteed maximum price (GMP) through a GMP Amendment for the co-funded portion of the Project.
4. Changes to the contract sum or GMP must be documented in writing and approved and executed, after consultation with the Core Team and with the advice and support of the Project Manager assigned to the co-funded project by the OFCC. For changes up to \$100,000, the OFCC has delegated authority to its Project Manager to execute such changes on its behalf so that work on the co-funded project can proceed without interruption and delay. The Superintendent requests authority for changes up to the contingency included in the budget approved by the Board for the Project, which will allow him to work with the Treasurer, OFCC Project Manager, A/E, and CMR expeditiously when changes are needed and allow the Project to progress without delay.
5. It is in the Board's best interest to authorize its Superintendent and Treasurer to conduct such other business related to the Project as is required between Board meetings, including, but not limited to, approval of bid packages for work on the Project, signature on behalf of the Board for approvals and agreements for services and work related to the Project (so long as such items have been included in the

project budget approved by the Board for any individual improvement), establishment of bank accounts required for the Project, obtaining required insurance for the Project, placement of advertisements for bids for services and work related to the Project, the solicitation of proposals and quotations for services and work related to the Project, entering contracts for such services, payment of fees related to the Project, and all other related business activities without the necessity of bringing each item before the Board for approval.

The Warren Local School District Board resolves as follows:

1. The Superintendent is designated as the Board's authorized representative for reviewing issues requiring a decision between Board meetings and to make decisions on behalf of the Board or to request a special meeting for the required decision by the Board as a whole, including meeting with other governmental agencies to review issues related to the Project and to negotiate the terms required for improvements.
2. The Superintendent and Treasurer, in consultation with each other, are authorized to conduct whatever business related to the capital program is required between Board meetings, including, but not limited to, approving bid packages for work on the Project, signing approvals and agreements for services and/or work in connection with the Project on behalf of the Board, placement of advertisements or posting of notices for bids or proposals for services and work related to the Project, the solicitation of proposals and quotations for services and work related to the Project, entering contracts for such services up to the limits within Board Policy DJC, payment of fees related to the Project, reviewing change orders for work under current construction contracts, and all other related business activities, including procurement of insurance coverage and establishment of banking accounts required for the Project.
3. The authority to approve and sign changes to the Project on behalf of the Board is delegated as follows:
 - (a) For changes up to \$100,000, the Superintendent, in consultation with the Treasurer and Core Team Members, may sign Change Orders and other documentation to amend or change an agreement related to the Project, additionally, approve subcontractor criteria and a short-list of prequalified subcontractors, and the approval of Project alternates.
 - (b) The Treasurer is authorized to issue purchase orders and sign any related documents required to finalize changes approved under the authority granted in this resolution.
4. The A/E for the Project will maintain a record of all changes related to the Project and will provide a report of changes pending, resolved, and needing Board approval, to the Board on a monthly basis.

Mr. Allen seconded the motion and, after discussion, a roll call vote was taken and the resolution passed.

AYES: Mr. Allen, Mr. Blackenridge, Mr. Crum, Mrs. Proctor, Mrs. West

NAYS: none

The foregoing is a copy of the resolution passed by the Warren Local School District Board of Education, and a record of the action taken, at its meeting on March 18, 2019.

Dated: March 18, 2019

Melcie Wells

Melcie Wells, Treasurer
Warren Local School District